



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

VIA ELECTRONIC MAIL

February 17, 2017

Mr. Jeffrey Olyphant
Peabody Midwest Mining, LLC
566 Dickeyville Road
Lynnville, Indiana 47619

Dear Mr. Olyphant:

Re: Request to Modify
NPDES General Permit No. ING040239
IDNR Permit Nos. S-0256, S-0256-1,
S-0256-2, S-0256-3, S-0256-4 and S-0256-5
Peabody Midwest Mining, LLC- Bear Run Mine
1890 N. County Road 600 E.
Sullivan, Indiana
Sullivan County

Your NPDES permit Notice of Intent letter received on January 10, 2017, requesting modification of the above-referenced general permit coverage, has been reviewed. The materials request the following change to your coverage:

Existing outfalls 086 and 088 (both discharging to unnamed tributaries to Middle Fork Creek, latitudes and longitudes as per Attachment 1 to this letter), are to be dropped from coverage; and

Existing outfalls 001, 003R, 018R, and 047 (receiving streams and latitude and longitudes as per Attachment 1 to this letter) are to be changed to Post Mining mine drainage status; and

Coordinates for newly constructed Outfall 090 are to be updated to reflect its as-built location, as per Attachment 001 to this letter.

We have reviewed the NOI and have determined that the mining activities associated with the request are not the result of any new or expanded permitted mining operations. Mining activity is a process of sequential coal removal and reclamation and as mining progresses and reclamation follows these activities will not result in any anticipated discharges to a receiving stream. We have determined that there will not be a new or increased loading of pollutants into the receiving stream(s), therefore the approval of this modification of coverage is in compliance with the antidegradation standards at 327 IAC 2-1.3.

The request has been processed in accordance with Section 402 and 405 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), and IDEM's permitting authority under IC 13-15. We have been in contact with representatives of the IDNR in Jasonville, Indiana who have confirmed that the drainage areas reporting to outfalls 001,



A State that Works

Mr. Jeffrey Olyphant
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003R, 018R, and 047 have been fully reclaimed and are well vegetated. In addition they have confirmed that Outfall 086 was mined through, and that Outfall 088 now drains to recently constructed Basin/Outfall 090. They concur, therefore, as does our office, that each of the above requested modifications may therefore be granted. Coverage for the facility will now include all outfalls listed on the first table of Attachment 1 to this correspondence.

The NPDES general permit coverage number assigned to this facility in the previous approval will continue to apply. Reporting is to be done using the federal Discharge Monitoring Report (DMR) form and the state Monthly Monitoring Report (MMR) form. The MMR form can be found on the internet at <http://www.in.gov/idem/cleanwater/2396.htm>. Both the state and federal forms need to be completed and submitted on a routine basis. Please note that IDEM will no longer accept paper DMR or MMR forms. All NPDES permit holders are required to submit their monitoring data to IDEM using NetDMR. Please contact Helen Demmings at (317) 232-8815 if you would like more information on NetDMR. Information is also available on our website at <http://IN.gov/idem/cleanwater/2422.htm>

Due to quarterly reporting requirements this modification shall become effective on **April 1, 2017**, unless a person aggrieved or adversely affected by the acceptance appeals this decision. Coverage under 327 IAC 15-7 for all remaining outfalls remains effective, and will expire on **May 31, 2019**. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as required by the Indiana Department of Environmental Management no later than ninety (90) days prior to the date of expiration.

Please note that IDEM shall serve notice of its decision to accept your facility for coverage under the general permit in accordance with the requirements of 327 IAC 5-3-14. It should also be noted that any appeal must be filed under procedures outlined in IC 13-15-6, IC 4-21.5, and the enclosed Public Notice. The appeal must be initiated by filing a petition for administrative review with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the emailing of an electronic copy of this letter or within eighteen (18) days of the mailing of this letter. A copy must also be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, IN 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, IN 46204

The Office of Environmental Adjudication will provide parties who request review of this approval with notice of prehearing conferences, preliminary hearings, hearing, and stays or orders disposing of all proceedings. Nonparties may receive such notices without intervening and formally becoming parties in the proceeding by requesting copies of such notices from the Office of Environmental Adjudication.

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If you have any questions regarding this letter, please contact Ms. Sheri L. Jordan of our office at (317) 232-8703.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Hess".

Catherine Hess, Chief
Permits Administration Section
Office of Water Quality

Slj/

Attachment

cc: Sullivan County Health Department
Mr. Andrew Nelson- Peabody Midwest Mining LLC
Mr. Todd Huff- IDNR

ATTACHMENT 1

Peabody Midwest Mining, LLC - Bear Run Mine

NPDES PERMIT NO. ING040239IDNR PERMIT NOS. S-0256, S-0256-1, S-0256-2, S-0256-3, and S-0256-4

EFFECTIVE DATE: April 1, 2017

OUTFALLS PERMITTED FOR THIS FACILITY

OUTFALL	DNR BASIN	LATITUDE	LONGITUDE	MINE DRAINAGE STATUS	RECEIVING WATER
<u>001</u>	S-0256 SP-1	39°, 03', 22"	-87°, 16', 50"	<u>POST-MINING</u>	BUTTERMILK CREEK
<u>003R*</u>	S-0256 SP-3	39°, 03', 17.5"	-87°, 17', 25"	<u>POST-MINING</u>	BUTTERMILK CREEK
009	S-0256-1 SP-9	39°, 01', 12"	-87°, 15', 37"	ALKALINE	UNNAMED TRIB. TO BLACK CREEK
<u>018R*</u>	S-256-1 018	39°, 01', 58"	-87°, 15', 43"	<u>POST-MINING</u>	UNNAMED TRIB. TO BLACK CREEK
040N	S-0256-2 040	38°, 58', 50.3"	-87°, 16', 12"	ALKALINE	UNNAMED TRIB. TO SPENCER CREEK
044*	S-0256-2 044	39°, 00', 29"	-87°, 17', 45"	ALKALINE	UNNAMED TRIB. TO MIDDLE FORK CREEK
045*	S-0256-3 045	39°, 00', 42"	-87°, 18', 13"	ALKALINE	UNNAMED TRIB. TO MIDDLE FORK CREEK
046 *	S-0256-1 046	39°, 01', 53"	-87°, 18', 09"	ALKALINE	UNNAMED TRIB. TO BUTTERMILK CREEK
<u>047*</u>	S-0256-1 047	39°, 02', 00"	-87°, 15', 42"	<u>POST-MINING</u>	UNNAMED TRIB. TO BLACK CREEK
051*	S-0256-2 051	38°, 59', 46"	-87°, 16', 15.5"	ALKALINE	UNNAMED TRIB. TO SPENCER CREEK
052	S-0256-2 052	38°, 59', 55"	-87°, 16', 15"	ALKALINE	SPENCER CREEK
053*	S-0256-4 053	38°, 55', 56"	-87°, 15', 57"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
054**	S-0256-4 054	38°, 55', 31"	-87°, 15', 54"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
055**	S-0256-4 055	38°, 55', 16"	-87°, 17', 02"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH

061*	S-0256-4 061	38°, 57', 53"	-87°, 15', 55"	ALKALINE	UNNAMED TRIB. TO SPENCER CREEK
062	S-0256-4 062	38°, 58', 34"	-87°, 15', 42"	ALKALINE	UNNAMED TRIB. TO SPENCER CREEK
063*	S-0256-5 063	39°, 00', 39.5"	-87°, 18', 26.5"	ALKALINE	UNNAMED TRIB. TO MIDDLE FORK CREEK
064 **	S-0256-2 064	38°, 56', 12"	-87°, 15', 22"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
066 **	S-0256-5 066	38°, 55', 00"	-87°, 16', 05"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
067 **	S-0256-5 067	38°, 55', 01"	-87°, 16', 54"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
068	S-0256-5 068	38°, 56', 29"	-87°, 19', 00"	ALKALINE	UNNAMED TRIB. TO MARIA CREEK
075 *	S-0256-5 075	39°, 02', 47"	-87°, 19', 20"	ALKALINE	UNNAMED TRIB. TO BUTTERMILK CREEK
081 **	S-0256-4 081	38°, 55', 54"	-87°, 16', 55.5"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
082 **	S-0256-4 082	38°, 55', 33"	-87°, 16', 54"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
083 **	S-0256-4 083	38°, 55', 17"	-87°, 16', 55"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
085*	S-0256-5 085	39°, 00', 39.8"	-87°, 18', 32.3"	ALKALINE	UNNAMED TRIBUTARY TO MIDDLE FORK
087 **	S-0256-1 087	39°, 01', 54"	-87°, 17', 51.7"	ALKALINE	UNNAMED TRIB. TO BUTTERMILK CREEK
089**	S-0256-5 089	39°, 01', 06"	-87°, 19', 10"	ALKALINE	UNNAMED TRIB. TO MIDDLE FORK CREEK
<u>090*</u>	<u>S-0256-5</u> <u>090</u>	<u>39°, 00', 52.1"</u>	<u>-87°, 19', 11.4"</u>	<u>ALKALINE</u>	<u>UNNAMED TRIB. TO MIDDLE</u> <u>FORK CREEK</u>
091**	S-0256-5 091	39°, 00', 24"	-87°, 19', 09"	ALKALINE	UNNAMED TRIB. TO MIDDLE FORK CREEK

* coordinates were changed to reflect as-built location of outfall

** reflects an unconstructed outfall

The following nineteen (19) outfalls have been removed and are no longer covered under this permit:

011*	S-0256-1 SP-11	39°, 01', 10.6"	-87°, 18', 04"	Never constructed	UNNAMED TRIB. TO MIDDLE FORK CREEK
016R*	S-0256 SP-16	39°, 02', 24.5"	-87°, 18', 20"	Drains to 075- not needed	BUTTERMILK CREEK

018	S-0256-1 018	39°, 01', 59.3"	-87°, 15', 37.6"	ALKALINE	UNNAMED TRIBUTARY TO MIDDLE FORK
019	S-0256-1 019	39°, 01', 16.7"	-87°, 15', 54.9"	ALKALINE	UNNAMED TRIB. TO BLACK CREEK
023	S-0256-1 023	39°, 01', 22.5"	-87°, 16', 08.1"	ALKALINE	UNNAMED TRIB. TO BLACK CREEK
040S	S-0256-2 040S	38°, 58', 38.4"	-87°, 16', 14.5"	ALKALINE	UNNAMED TRIB. TO SPENCER CREEK
041S	S-0256-2 041S	38°, 57', 31.3"	-87°, 16', 38.4"	DROPPED- not needed	UNNAMED TRIB. TO SPENCER CREEK
041N	S-0256-2 041N	38°, 57', 46"	-87°, 16', 44"	DROPPED- not needed	UNNAMED TRIB. TO SPENCER CREEK
042	S-0256-2 042	38°, 56', 33.5"	-87°, 16', 10.5"	ALKALINE	UNNAMED TRIB. TO POLLARD DITCH
043	S-0256-3 043	39°, 00', 20"	-87°, 16', 10"	DROPPED- not needed	UNNAMED TRIB. TO SPENCER CREEK
048	S-0256-1 048	39°, 01', 04.9"	-87°, 17', 56.7"	DROPPED- not needed	UNNAMED TRIB. TO MIDDLE FORK CREEK
049	S-0256-1 049	39°, 01', 22.6"	-87°, 15', 46"	MINED THROUGH	UNNAMED TRIB. TO BLACK CREEK
050	S-0256-1 050	39°, 01', 04.1"	-87°, 16', 31.8"	MINED THROUGH	UNNAMED TRIB. TO MIDDLE FORK CREEK
056	S-0256-4 056	38°, 56', 25"	-87°, 17', 26"	Never constructed	UNNAMED TRIB. TO MARIA CREEK
057*	S-0256-4 057	38°, 56', 44"	-87°, 17', 15"	MINED THROUGH	UNNAMED TRIB. TO MARIA CREEK
058*	S-0256-4 057	38°, 57', 8"	-87°, 17', 11"	MINED THROUGH	UNNAMED TRIB. TO MARIA CREEK
059	S-0256-4 059	38°, 57', 37"	-87°, 17', 16"	Never constructed	UNNAMED TRIB. TO MARIA CREEK
060	S-0256-4 060	38°, 57', 59"	-87°, 17', 19"	Never constructed	UNNAMED TRIB. TO MARIA CREEK
084	S-0256-4 084	38°, 56', 48"	-87°, 16', 56"	Never constructed	UNNAMED TRIB. TO MARIA CREEK
<u>086*</u>	S-0256- 5 086	39°, 00', 39.8"	-87°, 18', 44.9"	<u>MINED THROUGH</u>	UNNAMED TRIBUTARY TO MIDDLE FORK
<u>088*</u>	S-0256- 5 088	39°, 01', 02.5"	-87°, 18', 59.4"	<u>NOW DRAINS TO OUTFALL 090</u>	UNNAMED TRIB. TO MIDDLE FORK CREEK

**STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

PUBLIC NOTICE NO. 2017 – 2D -GP

DATE OF NOTICE: February 17, 2017

The Office of Water Quality approves the following for **NPDES GENERAL PERMIT** coverage.

MODIFICATION

PEABODY MIDWEST MINING, LLC – BEAR RUN MINE, Permit No. ING040239, SULLIVAN COUNTY, Sullivan, IN. This modification is being issued because the facility is deleting 2 outfalls, changing mine drainage on 4 outfalls and updating the coordinates of 1 outfall. The Notice of Intent (NOI) letter submitted complies with the requirements in 327 IAC 15-7, Facilities Engaged in Mining of Coal, Coal Processing and Reclamation Activities. Permit Writer: Sheri Jordan at 317/232-8703.

Notice of Right to Administrative Review

If you wish to challenge this permit, you must file a Petition for Administrative Review with the Office of Environmental Adjudication (OEA), and serve a copy of the petition upon IDEM. The requirements for filing a Petition for Administrative Review are found in IC 4-21.5-3-7, IC 13-15-6-1 and 315 IAC 1-3-2. A summary of the requirements of these laws is provided below.

A Petition for Administrative Review must be filed with the Office of Environmental Adjudication (OEA) within fifteen (15) days of the issuance of this notice (eighteen (18) days if you received this notice by U.S. Mail), and a copy must be served upon IDEM. Addresses are:

Director
Office of Environmental Adjudication
Indiana Government Center North
Room 501
100 North Senate Avenue
Indianapolis, Indiana 46204

Commissioner
Indiana Department of Environmental Management
Indiana Government Center North
Room 1301
100 North Senate Avenue
Indianapolis, Indiana 46204

The petition must contain the following information:

1. The name, address and telephone number of each petitioner.
2. A description of each petitioner's interest in the permit.
3. A statement of facts demonstrating that each petitioner is:
 - a. a person to whom the order is directed;
 - b. aggrieved or adversely affected by the permit; or
 - c. entitled to administrative review under any law.
4. The reasons for the request for administrative review.
5. The particular legal issues proposed for review.
6. The alleged environmental concerns or technical deficiencies of the permit.
7. The permit terms and conditions that the petitioner believes would be appropriate and would comply with the law.
8. The identity of any persons represented by the petitioner.
9. The identity of the person against whom administrative review is sought.
10. A copy of the permit that is the basis of the petition.
11. A statement identifying petitioner's attorney or other representative, if any.

Failure to meet the requirements of the law with respect to a Petition for Administrative Review may result in a waiver of your right to seek administrative review of the permit. Examples are:

1. Failure to file a Petition by the applicable deadline;
2. Failure to serve a copy of the Petition upon IDEM when it is filed; or
3. Failure to include the information required by law.

If you seek to have a permit stayed during the administrative review, you may need to file a Petition for a Stay of Effectiveness. The specific requirements for such a Petition can be found in 315 IAC 1-3-2 and 315 IAC 1-3-2.1.

Pursuant to IC 4-21.5-3-17, OEA will provide all parties with notice of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action. If you are entitled to notice under IC 4-21.5-3-5(b) and would like to obtain notices of any pre-hearing conferences, preliminary hearings, hearings, stays, or orders disposing of the review of this action without intervening in the proceeding you must submit a written request to OEA at the address above.

If you have procedural or scheduling questions regarding your Petition for Administrative Review you may contact the Office of Environmental Adjudication at (317) 232-8591 or see OEA's website at <http://www.in.gov/oea>.



Indiana Department of Environmental Management
 NPDES General Permit Notice of Intent (NOI) Letter Submittal Application
 327 IAC 15-7 Facilities Engaging in Mining of Coal, Coal Processing and Reclamation Activities

I. PURPOSE OF SUBMITTAL:				01/05/2017
Please check one box. Also provide existing permit number and reason for modification if applicable. You may attach additional sheets if they are needed.				
NEW	RENEW	MODIFY	EXISTING PERMIT NO.	IF MODIFICATION WHAT IS CHANGING
		X	ING040239	Outfalls 001, 003R, 018R, and 047 drainage status changed from Alkaline to Reclamation. Outfalls 086 and 088 are to be dropped from the permit.

II. GENERAL INFORMATION									
Complete all boxes in sections a and b for name of company and person who is to receive the permit. Complete boxes in sections c, d, e, f, g, h, and i or fill in N/A for non-applicable as they apply for the facility that the permit is to apply to.									
a. APPLICANT NAME (TO THE ATTENTION OF)				e. FACILITY SIC CODE		f. FACILITY COUNTY		g. DNR FACILITY NUMBER	
Peabody Midwest Mining, LLC Attn: Jeffrey Olyphant				1211		Sullivan		S-00256	
b. APPLICANT'S COMPANY AND COMPLETE MAILING ADDRESS				h. LATITUDE AND LONGITUDE OF APPROXIMATE FACILITY CENTER					
COMPANY NAME Peabody Midwest Mining, LLC				Latitude			Longitude		
STREET ADDRESS 566 Dickeyville Road				Degrees	minutes	seconds	degrees	minutes	seconds
CITY Lynnville	STATE IN	ZIP CODE 47619		38°	59'	52.5"	87°	16'	50.05"
c. FACILITY NAME				i. FACILITY TOWNSHIP, RANGE, SECTION, QUARTER SECTION					
Peabody Midwest Mining, LLC - Bear Run Mine				Township	Range	Section		Quartersection	
				7N	8W	3, 10, 11, 14-17, 20-24, 26-29, 32-35.			
				6N	8W	2-5, 8-11, 14-17, 21-24, 26 and 27			
d. FACILITY MAILING ADDRESS				j. FACILITY PHYSICAL LOCATION IF DIFFERENT FROM IId					
STREET ADDRESS 7255 East C.R. 600 S				STREET ADDRESS N/A					
CITY Carlisle	STATE IN	ZIP CODE 47838		CITY N/A		STATE N/A		ZIP CODE N/A	

III. CONTACT INFORMATION AUTHORIZED SIGNATORY	
This section applies to the <u>responsible corporate officer</u> and/or alternate person who is authorized in writing by the <u>responsible corporate officer</u> to carry signatory responsibilities for the facility under 327 IAC 15-4-3 (g). Please complete all boxes or mark N/A for non-applicable. <u>If the signatory is not a corporate officer please also submit the letter from the responsible corporate officer granting him/her this authority.</u>	
a. APPLICANT SIGNATORY CONTACT PERSON AND TITLE	d. ALTERNATE PERSON TO ANSWER QUESTIONS
Jeffrey Olyphant, <i>Authorized Representative</i>	Andrew Nelson, <i>Authorized Representative</i>
b. APPLICANT SIGNATORY CONTACT PERSON TELEPHONE	e. ALTERNATE PERSON'S TELEPHONE
(812) 922-1047	(812) 922-1045
c. APPLICANT EMAIL ADDRESS	f. ALTERNATE PERSON'S EMAIL ADDRESS
jolyphant@peabodyenergy.com	anelson@peabodyenergy.com

IV. CONTACT INFORMATION OTHER:

DISCHARGE MONITORING REPORTS CONTACT AND MAILING INFORMATION		c. <u>CONTACT AND COMPANY NAME</u> Jeffrey Olyphant Peabody Midwest Mining, LLC		
a. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1047		d. <u>STREET ADDRESS</u> 566 Dickeyville Road		
b. <u>CONTACT EMAIL ADDRESS</u> jolyphant@peabodyenergy.com		e. <u>CITY</u> Lynnville	f. <u>STATE</u> IN	g. <u>ZIP CODE</u> 47619
ANNUAL FEE AND FINANCIAL CONTACT AND BILLING ADDRESS		j. <u>COMPANY AND CONTACT PERSON NAME</u> Jeffrey Olyphant Peabody Midwest Mining, LLC		
h. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1047		k. <u>STREET ADDRESS</u> 566 Dickeyville Road		
i. <u>CONTACT EMAIL ADDRESS</u> jolyphant@peabodyenergy.com		l. <u>CITY</u> Lynnville	m. <u>STATE</u> IN	n. <u>ZIP CODE</u> 47619
OTHER CONTACT AND MAILING INFORMATION (SPECIFY BELOW)		q. <u>COMPANY AND CONTACT PERSON NAME</u> Andrew Nelson Peabody Midwest Mining, LLC		
o. <u>CONTACT TELEPHONE NUMBER</u> (812) 922-1045		r. <u>STREET ADDRESS</u> 566 Dickeyville Road		
p. <u>CONTACT EMAIL ADDRESS</u> anelson@peabodyenergy.com		s. <u>CITY</u> Lynnville	t. <u>STATE</u> IN	u. <u>ZIP CODE</u> 47619

V. RULE QUALIFICATION:

The purpose of this rule is to regulate wastewater discharges from surface mining, underground mining, and reclamation projects which utilize sedimentation basin treatment for pit dewatering and surface run-off and to require best management practices for storm water run-off.

Does this facility meet these requirements? (please check one) YES ☒ NO ☐

Please provide a brief description of the facility operation that results in the discharge. You may attach additional sheets.

This facility is a surface coal mine. Stormwater is collected, and passed through sediment treatment structures designed by professional engineers to detain a 10year-24hour storm event.

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO.	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
See Attachment VI.										Y / N	
										Y / N	
										Y / N	
										Y / N	
										Y / N	

* DWBF – Dry Weather Base Flow

VII. OUTFALL INFORMATION FOR MODIFICATIONS: Please provide the following if this is a request to ADD, DELETE, or CHANGE MINE DRAINAGE STATUS of one or more outfalls:

a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. DEL, ADD, or CHANGE	d. DATE OF CHANGE	e. REASON FOR THE CHANGE: EXPLAIN IN DETAIL AND ATTACH CONFIRMING DOCUMENTATION IN THE FORM OF INSPECTORS REPORTS, LAB DATA, ETC.
001	S-0256 SP-1	CHANGE	2/1/2017	The drainage area reporting to Outfall 001 has been reclaimed. Therefore the outfalls mine drainage status is being changed to reclamation.
003R	S-0256 SP-3	CHANGE	2/1/2017	The drainage area reporting to Outfall 003R has been reclaimed. Therefore the outfalls mine drainage status is being changed to reclamation.
018R	S-0256-1 018	CHANGE	2/1/2017	The drainage area reporting to Outfall 018R has been reclaimed. Therefore the outfalls mine drainage status is being changed to reclamation.
047	S-0256-1 047	CHANGE	2/1/2017	The drainage area reporting to Outfall 047 has been reclaimed. Therefore the outfalls mine drainage status is being changed to reclamation.
086	S-0256-5 086	DEL	2/1/2017	Outfall 086 has been mined through.
088	S-0256-5 088	DEL	2/1/2017	Outfall 088 now reports to Sediment Basin 090/ Outfall 090.

VIII. TOPOGRAPHICAL MAP

A topographical map must be submitted with this application. The map must include the following items:

- (A) the location of the coal mining operation, including contiguous facility property lines, shown clearly and identified by name and by mark;
- (B) the location of each numbered outfall shown clearly and identified by number and by mark;
- (C) the receiving streams and tributaries to them that each outfall discharges to shown clearly and identified by name;
- (D) any existing permanent structures or roads in the area shown clearly and identified by name.

Please attach this completed map to the application and submit both together.

IX. PROOF OF PUBLICATION

It is required that a public notice statement be published in a newspaper of largest circulation in the area where the discharge(s) will be occurring. This publication must be in the newspaper for a minimum of one day and must include the following language: (your facility name, address, address of the location of the discharging facility, and the streams receiving the discharge(s)) "is submitting a Notice of Intent letter to notify the Indiana Department of Environmental Management of our intent to comply with the requirement under 327 IAC 15-7 to discharge wastewater associated with the mining of coal, coal processing and /or reclamation activities. Any person aggrieved by this action may appeal in writing to the Environmental Law Judge of the Office of Environmental Adjudication for an adjudicatory hearing on the question of whether this facility should operate under this NPDES general permit rule. An appeal must be postmarked no later than fifteen (15) days from the date of this public notice. Such a written request for an adjudicatory hearing must:

- (A) state the name and address of the person making the request;
- (B) identify the interest of the person making the request;
- (C) identify any persons represented by the person making the request;
- (D) state with particularity the reasons for the request;
- (E) state with particularity the issues proposed for consideration at the hearing; and
- (F) state with particularity the reasons why the NPDES general permit rule should not be available to the discharger identified in this notice.

Any such request shall be mailed or delivered to:
Office of Environmental Adjudication
Indiana Government Center – North
100 North Senate Avenue, Room N501
Indianapolis, Indiana 46204"

Please attach proof of publication of this statement from the newspaper to the application and submit both together.

Please note that the public notice for this area was published with the original Notice of Intent and subsequent Renewals.

X. POTENTIALLY AFFECTED PERSONS FORM

Pursuant to IC 4-21.5 it is required that a Potentially Affected Person form be completed and submitted with this application. The form and instructions are attached.

No additional persons are potentially affected by the modification(s) contained herein. The original permit application included all potentially affected persons within, and adjacent to the permit area.

XI. REQUIRED FEES:

A \$50 application fee is required to be submitted with applications for new permits, permit modifications, and permit renewals in accordance with IC 13-18-20-12. In addition the \$500 annual fee is required to be submitted for NEW APPLICATIONS at the time of submitting the application.

A check payable to IDEM in the amount of \$ 50.00 is attached to this application.

XII. NOTIFICATION OF INDIANA DEPARTMENT OF NATURAL RESOURCES

It is required in all circumstances that a copy of this application is sent to the Indiana Department of Natural Resources (IDNR) Division of Reclamation in Jasonville, Indiana.

A copy of this application will be provided to Mr. Todd Sellers, Indiana Department of Natural Resources, Division of Reclamation, 14619 West State Road 48, Jasonville, IN 47438.

XIII. CERTIFICATION STATEMENT

It is required by 327 IAC 15-4-3(g)(3) that the following statement shall be included in the application. The authorized signatory representative (as defined by 327 IAC 15-5-3(g)(2) and identified in item IIIa above) makes the following certification by signing and dating this section of the application below:

"I certify under penalty of law that this document and all its attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Jeffrey Olyphant, *Authorized Representative*

(812) 922-1047

Name and official title (type or print)

Area Code and phone No.


Signature

1/5/2017
Date signed

Submit completed form and attachments to the following address:

**Indiana Department of Environmental Management
Office of Water Quality – Mail Code 65-42
NPDES Permits Section
100 North Senate Avenue
Indianapolis, Indiana 46204-2251**

Attachment VI

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
001	SP-1	39	03	21.7	87	16	50.2	0	REC	N	Buttermilk Creek
03R	SP-3	39	03	17.5	87	17	25	0	REC	N	Buttermilk Creek
009	SP-9	39	01	12	87	15	37	0	Alkaline	N	Unnamed tributary to Black Creek
011	SP-11	39	01	10.6	87	18	04	0	Dropped	N	Unnamed trib. to Middle Fork Ck
16R	SP-16	39	02	24.5	87	18	20	0	Dropped	N	Buttermilk Creek
018	018	39	01	59.3	87	15	37.6	0	Dropped	N	Unnamed trib. to Middle Fork Ck
18R	018	39	01	58	87	15	43	0	REC	N	Unnamed tributary to Black Creek
019	019	39	01	16.7	87	15	54.9	0	Dropped	N	Unnamed tributary to Black Creek
023	023	39	01	22.5	87	16	08.1	0	Dropped	N	Unnamed tributary to Black Creek
040S	040	38	58	38.4	87	16	14.5	0	Dropped	N	Unnamed trib. to Spencer Creek
040N	040	38	58	50.3	87	16	11.6	0	Alkaline	N	Unnamed trib. to Spencer Creek
041S	041	38	57	31.3	87	16	38.4	0	Dropped	N	Unnamed trib. to Spencer Creek
041N	041	38	57	46	87	16	44	0	Dropped	N	Unnamed trib. to Spencer Creek
042	042	38	56	33.5	87	16	10.5	0	Dropped	N	Unnamed trib. to Pollard Ditch
043	043	39	00	20	87	18	10	0	Dropped	N	Unnamed trib. to Spencer Creek
044	044	39	00	29	87	17	45	0	Alkaline	N	Unnamed trib. to Middle Fork Ck
045	045	39	00	41.8	87	18	13.3	0	Alkaline	N	Unnamed trib. to Middle Fork Ck
046	046	39	01	52.7	87	18	08.6	0	Alkaline	N	Unnamed trib. to Buttermilk Creek
047	047	39	02	01	87	15	42	0	REC	N	Unnamed tributary to Black Creek
048	048	39	01	04.9	87	17	56.7	0	Dropped	N	Unnamed trib. to Middle Fork Ck
049	049	39	01	22.6	87	15	46	0	Dropped	N	Unnamed tributary to Black Creek
050	050	39	01	04.1	87	16	31.8	0	Dropped	N	Unnamed trib. to Spencer Creek
051	051	38	59	46	87	16	15.5	0	Alkaline	N	Unnamed trib. to Spencer Creek
052	052	38	59	55	87	16	15.1	0	Alkaline	N	Spencer Creek
053	053	38	55	56	87	15	57	0	Alkaline	N	Unnamed trib. to Pollard Ditch
054**	054	38	55	31	87	15	54.4	0	Alkaline	N	Unnamed trib. to Pollard Ditch
055**	055	38	55	15.6	87	17	02	0	Alkaline	N	Unnamed trib. to Pollard Ditch
056	056	38	56	25.1	87	17	25.8	0	Dropped	N	Unnamed trib. to Maria Creek
057	057	38	56	44	87	17	15	0	Dropped	N	Unnamed trib. to Maria Creek
058	058	38	57	7.9	87	17	11	0	Dropped	N	Unnamed trib. to Maria Creek
059	059	38	57	37.1	87	17	15.7	0	Dropped	N	Unnamed trib. to Maria Creek
060	060	38	57	59.4	87	17	19	0	Dropped	N	Unnamed trib. to Maria Creek
061	061	38	57	52.6	87	15	55.1	0	Alkaline	N	Unnamed trib. to Spencer Creek
062	062	38	58	34	87	15	42	0	Alkaline	N	Unnamed trib. to Spencer Creek

Attachment VI (cont.)

VI. OUTFALL INFORMATION: Please fill out the following information FOR ALL OUTFALLS

a. IDEM OUTFALL NO.	b. DNR BASIN NO	c. LATITUDE			d. LONGITUDE			e. DWBF*	f. MINE DRAINAGE STATUS	g. Is this discharge to a STORM SEWER	h. Name of RECEIVING WATER OR if g is YES name of OPERATOR OF MUNICIPAL STORM SEWER, AND WATER IT DISCHARGES TO
		deg	min	sec.	deg	min	sec.				
063	063	39	00	39.5	87	18	26.5	0	Alkaline	N	Unnamed trib. to Middle Fork Ck
064**	064	38	56	12	87	15	22	0	Alkaline	N	Unnamed trib. to Pollard Ditch
066**	066	38	55	00	87	16	05	0	Alkaline	N	Unnamed trib. to Pollard Ditch
067**	067	38	55	01	87	16	54	0	Alkaline	N	Unnamed trib. to Pollard Ditch
068	068	38	56	29	87	19	00	0	Alkaline	N	Unnamed trib. to Maria Creek
075	075	39	02	47	87	19	20	0	Alkaline	N	Unnamed trib. to Buttermilk Creek
081**	081	38	55	54.4	87	16	55.5	0	Alkaline	N	Unnamed trib. to Pollard Ditch
082**	082	38	55	32.8	87	16	53.8	0	Alkaline	N	Unnamed trib. to Pollard Ditch
083**	083	38	55	16.8	87	16	54.8	0	Alkaline	N	Unnamed trib. to Pollard Ditch
084	084	38	56	47.9	87	16	55.6	0	Dropped	N	Unnamed trib. to Maria Creek
085	085	39	00	39.8	87	18	32.3	0	Alkaline	N	Unnamed trib. to Middle Fork Ck
086	086	39	00	39.8	87	18	44.9	0	Dropped	N	Unnamed trib. to Middle Fork Ck
087**	087	39	01	54	87	17	51.7	0	Alkaline	N	Unnamed trib. to Buttermilk Creek
088	088	39	01	02.5	87	18	59.4	0	Dropped	N	Unnamed trib. to Middle Fork Creek
089**	089	39	01	06	87	19	10	0	Alkaline	N	Unnamed trib. to Middle Fork Creek
090	090	39	00	52.1	87	19	11.4	0	Alkaline	N	Unnamed trib. to Middle Fork Creek
091**	091	39	00	24	87	19	09	0	Alkaline	N	Unnamed trib. to Middle Fork Creek

*DWBF – Dry Weather Base Flow

**Outfall is unconstructed



